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END_CTRL_NUM : DONZ00052196
DATESENT = 09/02/2009
TIMESENT = 12:01:30
RECEIVEDDATE = 09/02/2009
TIMERECEIVED = 12:01:30
FILENAME : RE: Chevron Charged With Dirty Tricks in Ecuador.msg
SUBJECT : RE: Chevron Charged With Dirty Tricks in Ecuador
TEXT : From: Juan Pablo Sáenz <juanpasaenz@hotmail.com>
Sent: Wednesday, September 2, 2009 12:02 PM
To: Steven Dozinger <sdonziger@gmail.com>
Subject: RE: Chevron Charged With Dirty Tricks in Ecuador

We're on that. Our sources at the government tell us they're they're actively looking for them, to cut their heads off.

We should focus on Borja and Hansen, since they're the Chevron stooges. Correa and his cronies will take care of the rest.

Juan Pablo Sáenz M.

Ofi: 593(2)2273533
Cel: 593(9)6043779

www.texacotoxico.org

Subject: Re: Chevron Charged With Dirty Tricks in Ecuador
To: juanpasaenz@hotmail.com
From: sdonziger@gmail.com
Date: Tue, 1 Sep 2009 21:22:16 +0000

Cool. Any info on garcia or the other characters? Who are they? Sent via BlackBerry by AT&T

From: Juan Pablo Sáenz
Date: Tue, 1 Sep 2009 14:52:16 -0500
To: Steven Dozinger<sdonziger@gmail.com>
Subject: RE: Chevron Charged With Dirty Tricks in Ecuador

You got my thoughts and prayers, brother.

Apparently, we're having the press conference on thursday, once we get a hold of more information.

Juan Pablo Sáenz M.

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Subject: Re: Chevron Charged With Dirty Tricks in Ecuador
To: juanpasaenz@hotmail.com
From: sdonziger@gmail.com
Date: Tue, 1 Sep 2009 19:45:31 +0000

Terrible
U guys having a press conference? Sent via BlackBerry by AT&T

From: Juan Pablo Sáenz
Date: Tue, 1 Sep 2009 14:42:36 -0500
To: Steven Dozinger<sdonziger@gmail.com>
Subject: RE: Chevron Charged With Dirty Tricks in Ecuador

How's your mom doing?

Juan Pablo Sáenz M.

Ofi: 593(2)2273533
Cel: 593(9)6043779

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Date: Tue, 1 Sep 2009 15:20:50 -0400
Subject: Chevron Charged With Dirty Tricks in Ecuador
From: sdonziger@gmail.com
To: sdonziger@gmail.com

Chevron Accused of Nixon-style Dirty Tricks Operation In Ecuador

Chevron's Video Transcripts Raise Questions About Oil Giant's Misconduct to Delay \$27 [billion](#) Environmental Trial In Ecuador

Department of Justice Asked to Focus on Chevron

Quito, Ecuador (September 1, 2009) – In a maneuver reminiscent of [Richard](#) Nixon's infamous "dirty tricks" operations, Chevron has posted a series of grainy videos on YouTube in an attempt to corrupt the trial proceedings where the company faces a \$27 [billion](#) liability for environmental damage, representatives of the indigenous communities in Ecuador charged Tuesday.

Representatives of the communities in Ecuador called for the U.S. Department of Justice and Ecuador's Attorney General to jointly investigate Chevron for its apparent role in working with an individual who tried to bribe government officials in Ecuador, said Pablo Fajardo, the lawyer for the Amazonian communities who accuse the company of dumping [billions](#) of gallons of toxic waste into the rainforest.

"The bottom line is that evidence in the trial shows that Chevron is responsible for wrecking Ecuador's rainforest and destroying the lives of thousands of indigenous peoples," said Steven Donziger, an American lawyer who advises the Amazonian communities in the lawsuit, which is taking place in Ecuador at Chevron's insistence after the company submitted numerous affidavits praising Ecuador's courts.

"Nothing Chevron has presented in these videos changes these underlying facts one bit," he added. The legal case will go on. This is a desperate attempt by Chevron to delay the judgment."

After carefully reviewing the videos and transcripts of the videos released by Chevron, lawyers for the plaintiffs said Chevron's hidden cameras produced "not even a scintilla of evidence" that the judge was involved in bribes, "made no sense" about how contracts would be awarded and raised questions about Chevron's own involvement in the bribery scheme perpetrated by an Ecuadorian Chevron contractor and an American businessman.

"There is clear evidence from the videos that individuals associated with Chevron were trying to bribe Ecuadorian government officials to undermine the trial process so the company can avoid paying a judgment," Fajardo said. "Corruption of the trial process by Chevron has become a pattern which we believe extends to the highest levels of the company and which may constitute a violation of criminal laws both in Ecuador and the United States," he added.

Both Fajardo and Donziger called on Chevron to turn over copies of the unedited videos, which were shot secretly using micro-cameras inside a watch and a pen, and to make available corporate officials and outside counsel to answer questions from investigators about their own roles or those of their subordinates in the scheme.

Curiously, Chevron has refused to disclose the whereabouts of the Ecuadorian contractor, Diego Borja, and the American businessman, Wayne Hansen. Chevron claims the pair "innocently" turned over the videos for Chevron's use in June of this year, but Borja had been working for Chevron on the environmental trial during the final eight field inspections conducted in March.

"It is odd that Chevron says Borja tried to bribe government officials, and then they reward him by relocating him to the United States which is often seen as a huge benefit for an Ecuadorian," said Fajardo.

It is unknown who Hansen is, where he lives, or whether he received payments or other benefits from Chevron. Borja and his family have long ties to the company; a cousin works for Chevron, and it believed Borja is now working for Chevron either as an employee or consultant after being relocated by Chevron to an undisclosed location in the U.S.

Instead of immediately giving the so-called evidence of corruption to the authorities, Chevron posted the videos on YouTube yesterday -- months after they came into Chevron's possession -- because the legal case was winding down after the court recently denied a Chevron attempt to conduct a study that would have added months to the trial process, said Fajardo.

"It appears the timing of the release of these videos is related to an impending judgment against the company," said Fajardo. "If this was not part of a dirty tricks operation, the videos would have been turned over to the authorities rather than to Chevron, or at least Chevron would have taken these videos to the authorities months ago. That's just one reason why this appears suspicious."

Donziger added: "More than anything, the videos appear to contradict Chevron's points. They certainly don't support Chevron's allegations in its press materials of the government directing the judge. They showed the judge repeatedly refusing the leading questions of Chevron's contractor about how he will rule. They raise questions about Chevron's possible misconduct in designing the bribery scheme. They also prove that individuals with ties to Chevron might have been involved in offering a bribe to a public official in Ecuador."

Chevron claims there was a \$3 million bribe arranged to direct a remediation contract to a certain company, but produced no evidence the judge knew about it or that money changed hands. The only people present when the bribe were discussed was the Chevron contractor, Borja; Hansen; and a person purporting to represent Ecuador's government, identified as Patricio Garcia.

Chevron presented no evidence to connect Garcia to the Ecuadorian government, and when Chevron contractor Borja said he would provide a bribe to the plaintiffs, Garcia quickly cut him off and said all the bribe money should go directly to him. Chevron presented no evidence that any member of the government had any knowledge of the purported scheme.

Donziger said it looked like some of the people in the fourth and final video were "props" in a movie whose role was to contrive evidence of corruption that could then be used by Chevron even though the company had a hand in creating it. "This so-called evidence is at a minimum hearsay and would never be admitted in court," said Donziger. "If it was fabricated by Chevron, then company officials are going to have to answer for their latest episode in an ongoing smear campaign."

"This entire episode reeks of a Nixon-style dirty tricks operation and Chevron's fingerprints are all over it," said Donziger. "Chevron's contractors film themselves offering a bribe to Ecuadorians, and then Chevron uses that video to try to undermine the judicial system in Ecuador where it faces a judgment. It is classic Nixon-style dirty tricks."

"Chevron now needs to turn over all of its evidence of unedited videos, full and complete transcripts, and the witnesses that the company is hiding from investigators. Chevron employee involved in this scheme, including its General Counsel and other corporate officials, also need to answer questions from investigators about their own roles in the scheme and their knowledge of the scheme," Donziger added.

Both attorneys called for a "complete and thorough investigation" of the facts surrounding Chevron's role. They also called for the investigation to address a pattern of Chevron's corrupt acts in the country, including a fraudulent remediation in the mid-1990s, the creation of a false military report in 2005 to delay a critical field inspection during the trial, threats of physical harm to court officials, and the failure to condemn a series of deaths threats and robberies suffered by representatives of the plaintiffs in recent years.

"The indigenous people are the victims," said Fajardo. "Corruption on any level designed to delay or profit from a long overdue remediation is unacceptable, and should be investigated and sanctioned immediately."

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FROM : Juan Pablo Sáenz <juanpasaenz@hotmail.com>
RECIPIENT : Steven Dozinger <sdonziger@gmail.com>
CUSTODIAN : Donziger, Steven
SOURCE : Inbox.pst
PAGES = 0
DOCTYPE : E-MAIL
BOX_NO = 0
ITEM_NO = 11916

UPDATEDATE = 01/15/2011

PRIV_DOC_NO = 0

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